

3721 #  
Customer No. 26874  
PATENT TRADEMARK OFFICE  
Attorney Docket: END907.0511043  
Bhw

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Wales, et al. : Paper No:  
Serial No. 10/615,972 : Group Art Unit: 3721  
Filed: July 9, 2003 : Examiner: Paul Durand  
For: SURGICAL INSTRUMENT WITH A LATERAL-MOVING  
ARTICULATION CONTROL

**AMENDMENT & RESPONSE**

Mail Stop Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action, dated June 28, 2004, please amend the above-identified application as follows.

**Amendment to the Specification** begins on page 2 of this paper.

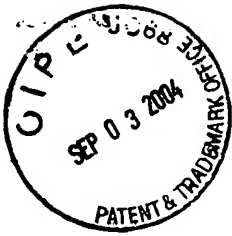
**Amendments to the Claims** begin on page 5 of this paper.

**Remarks** begin on page 10 of this paper.

09/03/2004 SZEWDIE1 00000066 10615972

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258.00 DP



Customer No. 26874  
PATENT TRADEMARK OFFICE  
Attorney Docket: END907.0511043

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Kenneth Wales : Paper No:  
Serial No. 10/615,972 : Group Art Unit: 3721  
Filed: July 9, 2003 : Examiner: Paul R. Durand  
For: SURGICAL INSTRUMENT WITH A LATERAL-MOVING  
ARTICULATION CONTROL

**AMENDMENT TRANSMITTAL**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment for the above-captioned application.

Applicant is a

- ☐ Small Entity  
☒ Large Entity

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

*(complete (a) or (b), as applicable)*

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1)-(4)) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	420.00	210.00
<input type="checkbox"/>	three months	650.00	475.00

Serial No.

☐ four months 1,480.00 740.00  
Fee: \$ 0.00

If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for \_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for petition for extension of time.

**FEE FOR CLAIMS**

	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Extra	Rate Small Entity		Rate Large Entity	Add'l Fee
Total *	14	Minus **	15	= 0	X 9.00	\$	X 18.00	\$ 0.00
Indep. *	7	Minus ***	4	3	X 43.00	\$	X 86.00	\$258
<input type="checkbox"/> First Presentation of Multiple Dependant Claim 0					X 145.00	\$	+290.00	\$ 0.00
					Total Addt'l. Fee	\$	Total Addt'l. Fee	\$258

\* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

If the "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of the prior amendment or the number of claims originally filed.

*(complete (c) or (d) as required)*

- (c) ☒ No additional fee for claims is required.

- (d) ☐ Total additional fee for claims required \$258.00

Serial No.

**FEE PAYMENT**

☐ Attached is a check in the sum of \$258.00 covering the total additional fee for claims required.

☐ Please charge Frost Brown Todd LLC Account No. 06-2226 for the total fee due.

A duplicate of this transmittal is attached.

The Assistant Commissioner for Patents is authorized to charge any deficiency or credit any overpayment of fees to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,

Kenneth S. Wales

**CERTIFICATE OF MAILING**

I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 1, 2004

Elizabeth A. Middleton  
Elizabeth A. Middleton

By David E. Franklin

David E. Franklin  
Registration No. 39,194  
Attorney for Applicant(s)

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